

The Altavista Planning Commission held a regularly scheduled meeting on Monday, May 2, 2011 at 5:00PM in the Council Chambers at Town Hall.

Members present: Jerry Barbee, Chairman
 Bill Ferguson
 Laney Thompson
 Tim Wagner
 John Woodson

Also present: Greg Baka
 Cheryl Dudley
 John Eller
 Turner Perrow
 Mark Thomas
 Kevin Turner
 Dan Witt

The agenda was reviewed and approved as presented. Mr. Ferguson made a motion to approve with a second from Mrs. Thompson. All members were in favor with none opposing.

The minutes from the April 4, 2011 PC meeting were reviewed and approved as presented. Mr. Ferguson made a motion to approve with a second by Mr. Wagner. All members were in favor with none opposing.

A Public Hearing on the update to the Town of Altavista Zoning Ordinance was opened at 5:05PM. Chairman Barbee thanked the Steering Committee for their work. He stated that it was a long, detailed, and arduous process that had been going on for over a year. The Steering Committee included William Anderson, Ron Coleman, John Eller, Webb Henderson and Aubrey Rosser. Chairman Barbee also thanked Viewshed Consultants, LLC, primarily Greg Baka, for the direction through the process. The meeting was turned over to Mr. Baka.

Mr. Baka thanked the SC and PC for their work on the update to the zoning ordinance. Mr. Baka discussed highlights and changes that were outlined in the staff report: 1-the terms are clearer and well defined, 2-zoning districts have been slightly renamed, 3-design guidelines and development standards now have their own section (Article IV), 4- specific by-right and other uses that require a SUP are more clarified in the district section (Article III), 5- the minimum lot width in the R-2 zone was reduced from 100 ft. to 80 ft., and 6-a proposed elimination of the M-1 Industrial zone , which was originally created as a transition zone between M-2 (industrial) and C-2 (general commercial).

Mr. Baka presented a list of Comprehensive Plan goals and objectives that were integrated into the update.

- ✓ Encourage mixed use developments, such as PUD's and second story housing downtown.
- ✓ Encourage development of sales/service sector firms.

- ✓ Promote commercial and industrial firms, while maintaining an atmosphere conducive to expansion of existing ones.
- ✓ Ensure quality and adequate parking availability in all areas
- ✓ Coordinate new commercial and industrial development with the provision of community facilities, infrastructure, and services.
- ✓ Consider additional assisted living care possibilities.
- ✓ Evaluate zoning/building codes for procedures/impediments.
- ✓ Provide options for upper-story downtown housing.
- ✓ Encourage orderly residential growth relative to services
- ✓ Protect town neighborhoods by reducing “cut-through” traffic volume on residential streets.
- ✓ Promote the mixed use development of larger vacant parcels

The Steering Committee evaluated the following topics during the process:

- Consistency w/ Comp Plan
- Site Development Standards
- Lot/Bulk Standards
- Zoning Maps
- Sign Standards
- Landscaping/Lighting provisions
- State Code requirements
- Format/Structure
- Process/Procedures
- Non-conformities
- Definitions/Uses
- Districts – Old & New

Mr. Baka presented the timeline for the project:

February 2010	Consultant selection/negotiations
March	Award of contract & review background information
April	Kick-off meeting with Steering Committee
May	Prepare for Public Work session
June	Public Open House Work session; seek public input
July	Analyzed public input; research Ordinances
August	Review analysis w/ SC; Standards for Definitions
September	Establish structure for districts
October	Use & Design Standards
November	Landscaping/Lighting Standards
December	Site Plan standards and produce a Draft Ordinance
January 2011	Follow-up SC meetings and review of text
February	Revisions to text
March	Final SC meeting and text modifications
April	Produce a Final Draft Ordinance
May	Planning Commission Public Hearing and recommendation to Town Council

The goal was to update the ordinance but Mr. Baka stated that some sections were rewritten. Mr. Baka provided a review of the highlights and changes to each article.

Article I – Administration (Highlights) Consists of General Administrative Sections

Sec. 86-8 Uses Not Provided For

If a use is not listed as any of the allowable uses, by right or by Special Use Permit, in any zoning district in the entirety of the Ordinance and the use falls within the stated intent for uses in a specific district, the Administrator shall present the proposed use to the Planning Commission, which at its discretion may recommend an amendment to the Code or require an application for a Special Use Permit.

Article II – Definitions & Use Types

Definitions in all Articles are moved to Article II

Definitions are now grouped by Use Types

Use Types can be provided for all land uses. Instead of developing separate list for similar uses such as barber shops, dry cleaners, florists, and tailors a single use type can be used.

PERSONAL SERVICES -- Establishments or places of business engaged in the provision of frequently or recurrently needed services of a personal nature. Typical uses include beauty and barber shops; grooming of pets; seamstresses, tailors, florists; and Laundromats and dry cleaning stations serving individuals and households.

Article III – Districts

- RLD (deleted)
- R-1
- R-2
- RHD (deleted)
- R-MHP
- C-1
- C-2
- M-1 (deleted)
- M-2 (now “M”)
- PUD (added)
- DRO

Article IV – Development Standards (New)

DIVISION 1. USE AND DESIGN STANDARDS

Home Occupations
Multi-family Dwellings
Temporary Family Health Care Structures
Upper-story Residential Unit
Automobile Sales/Service
Gasoline Stations
Mini-Storage
Retail Sales
Industrial recycling centers

DIVISION 2. ACCESSORY USES AND STRUCTURES

Clarified and organized by use groups

DIVISION 3. PARKING

Reviewed parking standards

Added a parking table

Clarifies parking requirements by use

DIVISION 4. BUFFERS AND LANDSCAPING STANDARDS

Provides landscaping provisions

Allows for a flexibility in types and sizes of buffers

DIVISION 5. MISCELLANEOUS STANDARDS

Provisions for lighting, yard requirements, fences, temp. storage containers

DIVISION 6. SITE PLANS

Added Site Plan provisions that provide more information to staff/PC

Article V – Signs

Minor Changes included formatting

Added clarity for additional signage definitions

Added specific language for murals...

MURAL – A large image, such as a painting, produced by hand and applied to the side of a building wall, generally for the purpose of decoration or artistic expression that shall not advertise or suggest the advertisement of products or services related to a business, which would otherwise be subject to sign regulations.

Additional Text – Articles VI – XII (Formatting, Code)

Article VI – Telecommunications Facilities

Article VII – Non-Conforming Uses; Vested Rights

Article VIII – Board of Zoning Appeals

Article IX – Amendments; Conditions; Notices

Article X – Flood Control

Article XI – Enforcement, Penalties, Administrator’s Authority. Article XII – (Franchises) Removed from Zoning Ordinance

Mr. Baka suggested that if the PC proceeds with a motion for recommending the approval of the zoning rewrite, he is recommending to insert clarification of language regarding the appeal process to allow for satellite dishes as an accessory use in the front yard and side yard and to add temporary family health care structures to the list of accessory uses in residential zones in Article IV. Mr. Witt added that Mr. Eller was looking into the requirement for an environmental study.

No citizens spoke at the public hearing. The public hearing was closed at 5:38PM.

Mr. Wagner made a motion to recommend approval of the draft zoning ordinance to the Town Council pending the clarification of the three items mentioned, to allow for satellite dishes to be used as an accessory structure, to add temporary family health care structures to list of accessory uses, and to strike the requirement for the environmental assessment. Mrs. Thompson seconded the motion. All members were in favor with none opposing.

A public hearing was opened at 5:48PM for rezoning of certain properties on 8th and 9th Streets from C-2 to R-2. Mr. Barbee asked if it was properly advertised and Mr. Witt stated that it had not been properly

advertised. The notice in the newspaper incorrectly stated the hearing was for parcels in the 400 block of 8th Street instead of the 500 block of 8th Street. Mr. Eller stated that it needed to be re-advertised for the 500 block of 8th Street.

Mr. Barbee then asked if anyone was at the meeting to speak in favor of the rezoning. There were no citizens to speak. He then asked if there was anyone there to speak in opposition of the rezoning of 9th Street.

Mr. Witt stated that the section of 9th Street being proposed for rezoning was zoned commercial before the library was built in the center of Broad Street near the railroad tracks. When originally zoned commercial, it was thought the Central Business District would expand over the tracks along Broad Street but since the library was built commercial development was unlikely. The PC is considering the rezoning to residential R-2, which is consistent with the FLUM in the Comprehensive Plan.

Kevin Turner, owner of the Commonwealth Mobile Home Park, 1537 Oakwood Street, Bedford, VA spoke in opposition to the rezoning. He stated that the primary reason he purchased the property in 1995 was because it was zoned commercial and he had plans for commercial development on the lot.

The public hearing was closed at 5:51PM

Mr. Ferguson stated that after hearing Mr. Turner speak the PC should consider more thoroughly the rezoning of this parcel. He believed the other corner, across the street, should be changed to R-2.

Mr. Woodson asked Mr. Turner what commercial use he had in mind since the parcel had been a MHP for such a long time. Mr. Turner stated that he'd considered a motel or convenience store. Mr. Eller stated that if the property were rezoned from C-2 to R-2 and Mr. Turner wanted to come back and have it rezoned again to commercial use; he could have that approved with "conditional zoning" that may include proffers.

A motion was made by Mr. Wagner to defer a decision for 1 month so that the PC could consider Mr. Turner's request and allow staff to gather more information about the MHP and the other properties on 9th Street. A second was made by Mr. Ferguson. All members were in favor with none opposing.

A public hearing was opened at 6:01PM for the rezoning of certain properties on 3rd and 5th Streets from M-1 to C-2. Mr. Witt stated that it had been properly advertised. Mr. Witt explained the reason for the rezoning, primarily the M1 zone was no longer needed nor did it provide sufficient parcel size for the majority of permitted uses in the M1 zone. Mr. Barbee asked if anyone was present to speak regarding this proposal.

Mr. Turner Perrow of 2535 Willow Lawn Drive, Lynchburg, VA spoke on behalf of himself, Edgar J. Perrow (father) and Nathaniel F. Perrow (brother) owners of several properties on 3rd Street. Mr Perrow was opposed to the rezoning because in the C-2 zoning district warehouses are not permitted. He

stated this was the primary reason they had purchased properties in this area and he requested that the zoning classification remains industrial for the properties along 3rd Street. He pointed out they currently own several warehouses on both sides of 3rd Street.

Mr. Barbee entered a letter from Mr. Charles Edwards, owner of Mid-Atlantic Printers, 503 3rd Street, Altavista, VA into the record. Mr. Edwards is opposed to the change in zoning for parcels along 3rd Street. His business, located in the 1300 block of 3rd Street, is currently industrial, partly zoned M2 and partly zoned M1 and he wants for the properties to remain in an industrial zone.

The public hearing was closed at 6:09PM

After discussion among the PC members, a motion was made by Mr. Ferguson to withdraw the request to rezone the properties on 3rd Street from M1 to C2 and have the properties remain in the new M Industrial zone. A second was made by Mr. Wagner and all members voted in favor with none opposing.

A motion was made by Mr. Wagner to change the zoning to specific parcels on 5th Street from M1 Industrial to C-2 Commercial. A second was made by Mrs. Thompson and all members voted in favor with none opposing.

The meeting was adjourned at 6:19PM

Jerry Barbee, Chairman

Dan Witt, Assistant Town Manager